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COVER NOTE

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 18 January 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

No. Cion doc.: SWD(2018) 22 final

Subject: COMMISSION STAFF WORKING DOCUMENT – EXECUTIVE
SUMMARY OF THE IMPACT ASSESSMENT accompanying the document
Proposal for a Directive of the European Parliament and of the Council on
port reception facilities for the delivery of waste from ships, repealing
Directive 2000/59/EC and amending Directive 2009/16/EC and Directive
2010/65/EU

Delegations will find attached document SWD(2018) 22 final.

Encl.: SWD(2018) 22 final



Strasbourg, 16.1.2018
SWD(2018) 22 final

COMMISSION STAFF WORKING DOCUMENT
EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

**Proposal for a Directive of the European Parliament and of the Council
on port reception facilities for the delivery of waste from ships, repealing Directive
2000/59/EC and amending Directive 2009/16/EC and Directive 2010/65/EU**

{COM(2018) 33 final} - {SWD(2018) 21 final}

Executive Summary Sheet (Max 2 pages)
Impact assessment for the revision of Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues
A. Need for action
What is the problem and why is it a problem at EU level?
<p>1. Discharges of waste at sea, negatively impacting the marine environment. Yearly estimates: Oily waste 31 000 m³, Sewage: 136 000 m³ and Garbage: 60 000 – 300 000 tonnes.</p> <p>2. Administrative burden (estimated at 127M€/year) associated with implementation of the Directive, negatively affecting maritime transport operations.</p>
What should be achieved?
<p>1. Protection of the marine environment through a reduction of discharges of ship-generated waste at sea and contributing to the wider objectives of the circular economy;</p> <p>2. Facilitation of maritime operations through a reduction of the administrative burden.</p>
What is the value added of action at the EU level (subsidiarity)?
<p>Action at EU level is necessary in order to:</p> <ul style="list-style-type: none"> • Achieve a harmonised implementation of internationally agreed rules (MARPOL) to address the problem of ship source pollution; • Provide a level playing field for ports and port users, in order to increase competitiveness of the sector.
B. Solutions
What are the various options to achieve the objectives? Is there a preferred option or not? If not, why?
<ul style="list-style-type: none"> • Option 1: Baseline scenario • Option 2: Minimum revision: targeted initiatives and concise legal adjustments; • Option 3: MARPOL alignment: further alignment to MARPOL, focusing on illegal discharges of waste at sea. Incorporation of the PRF inspections in Port State Control; • Option 4: EU PRF Regime beyond MARPOL: strengthening the PRF regime beyond MARPOL: mandatory delivery of <i>all</i> waste from ships; • Option variants 3B and 4B: Marine Litter: specifically addressing the problem of marine litter from ships. Redefining the position of fishing vessels and recreational craft under the Directive. <p>The preferred option is option 3B (MARPOL alignment with additional focus on marine litter).</p>
What are different stakeholders' views? Who supports which option?
<p>All stakeholders welcome the revision and favour further harmonisation of the rules at EU level.</p> <ul style="list-style-type: none"> - A number of Ports opposes the 100% indirect fee for garbage, and prefers streamlining of the main cost recovery principles (PO 3 and 4). - Port users call for more transparency of the waste fees, better consultation procedures and harmonisation of the exemption regime (PO 3 and 4). - Most stakeholders favour further alignment with MARPOL (scope and definitions) (PO 3). <p>As Option 3B reconciles the 2 general objectives, it is the option supported by most stakeholders.</p>
C. Impacts of the preferred option
What are the benefits of the preferred option (if any, otherwise of main ones)?
<p>Environmental: A substantial part of the illegal waste discharges at sea is reduced, and an important contribution is made to the circular economy. The environmental benefits are difficult to quantify, but will be significant, as indicated by costs for (beach) clean-up operations and damage to the fishing sector.</p> <p>Economic: Reduction of enforcement costs of estimated 286,000 euro and approx. 6,5 million euro reduction of administrative burden.</p> <p>Social: Expected additional employment in the waste management sector and in tourism; increased environmental awareness on marine litter from sea-based sources.</p>
What are the costs of the preferred option (if any, otherwise of main ones)?

<ul style="list-style-type: none"> - Compliance costs from setting up separate waste collection schemes in ports, providing facilities for the reception of waste from scrubbers, and introducing 100% indirect fee for garbage. - Operational costs from operating incentive schemes, organising consultations for the adoption/revision of waste reception and handling plans.
<p>What are the impacts on SMEs and competitiveness?</p>
<p>Increased business opportunities and impacts on competitiveness may be expected for: PRF operators, some of which qualify as SMEs; and the fishing and recreational sector, largely consisting of SMEs.</p>
<p>Will there be significant impacts on national budgets and administrations?</p>
<p>No. Regulatory costs are expected to be limited and off-set by expected gains in efficiency.</p>
<p>Will there be other significant impacts?</p>
<p>Positive impact on innovation and competitiveness, in particular from the further development of the green ship concept and the improvement of waste management in ports.</p>
<p>Proportionality?</p>
<p>The preferred policy option does not go beyond what is needed to achieve the policy objectives</p>
<p>D. Follow up</p>
<p>When will the policy be reviewed?</p>
<p>The revised Directive should be reviewed seven years after its entry into force, based on a set of core progress indicators.</p>